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APR 22 2010

OFFICE OF PETITIONS

In re Application of  
Kohanek et al.  
Application No.: 09/904,425  
Filing or 371(c) Date: 07/12/2001  
Attorney Docket Number 21223/0211061-US0

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: DECISION  
: ON PETITION  
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This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed November 2, 2009, to revive the above-identified application. The delay in treating this petition is regretted.

This Petition is hereby **granted**.

Background

The above-identified application became abandoned for failure to timely reply to the non-final Office action, mailed July 31, 2002. The Office action set a three (3) period for reply. Extensions of time under 37 CFR 1.136(a) were available. No reply having been received, the application became abandoned on November 1, 2002. A Notice of Abandonment was mailed March 26, 2003.

The February 2, 2009 petition

Applicants filed a petition to revive the application based upon unintentional delay on February 2, 2009, which was dismissed in a Decision mailed November 2, 2009, for failing to meet the requirements of a grantable petition under 37 CFR 1.137(b).

The present renewed petition

Applicant files the present renewed petition and the required showing as to the unintentional delay. The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that the petition includes (1) the reply in the form of an Amendment; (2) the petition fee, and (3) the required statement of unintentional delay. Accordingly, the reply is accepted as having been unintentionally delayed.

This application is being referred to Technology Center Art Unit 2859 for processing of the Amendment filed electronically on February 2, 2009, and for further examination in the normal course of business.

Telephone inquiries concerning this petition Decision should be directed to the undersigned at (571) 272-3232.

/Derek L. Woods/

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